

12856.A1C6

JSM/TSC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NINEVA OGLESBY, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SSC WESTCHESTER OPERATING )  
COMPANY, LLC d/b/a )  
WESTCHESTER HEALTH AND )  
REHAB CENTER, )  
 )  
Defendant. )

**NOTICE OF REMOVAL**

**TO: CLERK OF THE UNITED STATES DISTRICT COURT**  
Northern District of Illinois  
Eastern Division at Chicago  
219 S. Dearborn St.  
Chicago, IL 60604

**Brian Murphy**  
Hofeld & Schaffner  
30 N. LaSalle St.  
Suite 3120  
Chicago, IL 60602

**CLERK OF THE CIRCUIT COURT OF COOK COUNTY**  
50 W. Washington St.  
Chicago, IL 60601

Defendant, SSC WESTCHESTER OPERATING COMPANY, LLC, a Limited Liability Company d/b/a WESTCHESTER HEALTH AND REHABILITATION CENTER, provides this Amended Notice of Removal based on diversity of citizenship under 28 U.S.C. §1441. The specific grounds for removal are as follows:

1. On 5/25/12, Plaintiff, an Illinois citizen, commenced this action under the Illinois Nursing Home Care Act, 210 ILCS 45/1-101, et. seq., in the Circuit Court of Cook County, Illinois, entitled: NINEVA OGLESBY v. SSC WESTCHESTER OPERATING COMPANY, LLC, d/b/a WESTCHESTER HEALTH AND REHABILITATION CENTER, case no. 2012 L 005774 (see Complaint and Summons attached as Exhibit A.)

2. This Notice of Removal is brought under 28 U.S.C. §1441 and 1446. This court has jurisdiction pursuant to 28 U.S.C. §1332 on the basis that there is complete diversity of citizenship between the parties and the amount in controversy is in excess of seventy-five thousand dollars (\$75,000).

3. Defendant, SSC WESTCHESTER OPERATING COMPANY, LLC, a Limited Liability Company d/b/a WESTCHESTER HEALTH AND REHABILITATION CENTER, is a resident of the states of New Jersey and New York.

4. The sole member of SSC WESTCHESTER OPERATING COMPANY, LLC is SSC Submaster Holdings, LLC, a Delaware limited liability company.

5. The sole member of SSC Submaster Holdings, LLC, is SSC Equity Holdings, LLC, a Delaware limited liability company.

6. The sole member of SSC Equity Holdings, LLC is SavaSeniorCare, LLC, a Delaware limited liability company.

7. The sole member of SavaSeniorCare, LLC is SVCARE Holdings, LLC, a Delaware limited liability company.

8. The sole member of SVCARE Holdings, LLC is Canyon Sudar Partners, LLC, a Delaware limited liability company.

9. The members of Canyon Sudar Partners, LLC are Leonard Grunstein and Murray Forman.

10. Leonard Grunstein is a resident of the State of New Jersey.

11. Murray Forman is a resident of the State of New York.

12. There is complete diversity of citizenship between the parties under 28 U.S.C. §1332.

13. This action is a lawsuit arising out of claims of negligence and violation of the Illinois Nursing Home Care Act. Although defendant denies that plaintiff is entitled to any relief whatsoever, this defendant believes, in good faith, that the amount in controversy exceeds seventy-five thousand dollars (\$75,000).

14. The underlying state court action is one in which this court has original jurisdiction under the provisions of the 28 U.S.C. §1332 and is one that may be removed to this Court by the defendant pursuant to the provisions of 28 U.S.C. §1441 because the matter is controversy exceeds the sum or value of seventy-five thousand dollars (\$75,000) exclusive of costs and interest and there is complete diversity between plaintiff and defendant.

15. Pursuant to 28 U.S.C. §1446(a), a copy of the court file, including a copy of all process, pleadings, and orders served upon defendants is attached as Exhibit A.

Respectfully submitted:

**myers carden & sax** LLC

By: /s/Terrence S. Carden, III  
Attorneys for Defendant,  
SSC WESTCHESTER OPERATING  
COMPANY, LLC, a Limited Liability  
Company d/b/a WESTCHESTER  
HEALTH AND REHABILITATION  
CENTER

Terrence S. Carden, III (ARDC# 6205378)

**myers carden & sax** LLC

30 North LaSalle Street, Suite 2200

Chicago, Illinois 60602

312-345-7250 FAX: (312) 345-7251